

P. RANDOLPH FINCH JR., SBN 185004
EMAIL: pfinch@ftblaw.com
LOUIS J. BLUM, SBN 220941
EMAIL: lblum@ftblaw.com
CHAD T. WISHCHUK, SBN 214779
EMAIL: cwishchuk@ftblaw.com

FINCH, THORNTON & BAIRD, LLP

ATTORNEYS AT LAW
4747 EXECUTIVE DRIVE - SUITE 700
SAN DIEGO, CALIFORNIA 92121-3107
TELEPHONE: (858) 737-3100
FACSIMILE: (858) 737-3101

Attorneys for Defendants Shimmick Construction Company, Inc.,
Shimmick Corporation, Vanessa Irving,
Rosebelle Delong, and Rosa Gonzales

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ALAMEDA CORRIDOR EAST
CONSTRUCTION AUTHORITY;
CALLEGUAS MUNICIPAL WATER
DISTRICT;
CITY OF ANTIOCH;
CITY OF FOSTER CITY;
CITY OF FREMONT;
CITY OF OCEANSIDE-WATER
UTILITIES DEPARTMENT;
CITY OF RICHMOND;
CITY OF SAN DIEGO;
CITY OF SAN DIEGO PUBLIC
WORKS CONTRACTS;
CITY OF SAN DIEGO PUBLIC
WORKS DEPARTMENT;
IRVINE RANCH WATER DISTRICT
3;
KNIGHTS LANDING DRAINAGE
DISTRICT;
LOS ANGELES DEPARTMENT OF
WATER AND POWER;
ORANGE COUNTY SANITATION
DISTRICT;
ORANGE COUNTY WATER
DISTRICT;
PENINSULAR CORRIDOR JOINT
POWERS BOARD;
PORT OF LOS ANGELES-
CONSTRUCTION DIVISION;
SAN DIEGO UNIFIED PORT
DISTRICT;
SAN FRANCISCO BAY AREA
RAPID TRANSIT DISTRICT;
SAN FRANCISCO PUBLIC
UTILITIES COMMISSION;

CASE NO: 4:25-cv-05618-KAW

STIPULATION EXTENDING TIME TO
RESPOND TO COMPLAINT

Assigned to Magistrate Judge:
Hon. Kandis A. Westmore

Complaint Filed: February 5, 2025
Trial Date: Not Set

SAN JOAQUIN AREA FLOOD
CONTROL AGENCY;
THE SONOMA-MARIN AREA RAIL
TRANSIT; AND
THE WATER REPLENISHMENT
DISTRICT OF SOUTHERN
CALIFORNIA,

ex rel. TRICO Pipes LMCC and
Nick Goodwin

Qui tam Plaintiffs,

v.

SHIMMICK CONSTRUCTION CO.;
SHIMMICK CORP.,
AECOM;
AMENTUM ENVIRONMENT &
ENERGY, INC.;
VEOLIA WATER WEST
OPERATING SERVICES, INC.;
VEOLIA NORTH AMERICA, LLC;
DISNEY CONSTRUCTION, INC.;
SHIMMICK/DISNEY JOINT
VENTURE;
WEBCOR CONSTRUCTION, LP,
DBA WEBCOR BUILDERS;
OBAYASHI CORPORATION;
W.M. LYLES CO.;
WEBCOR OBAYASHI LYLES
JOINT VENTURE;
BERKSHIRE HATHAWAY
SPECIALTY INSURANCE CO.;
LIBERTY MUTUAL INSURANCE
CO.;
FIDELITY AND DEPOSIT CO. OF
MARYLAND;
ZURICH AMERICAN INSURANCE
CO.;
HARTFORD FIRE INSURANCE
CO.;
FEDERAL INSURANCE CO.;
VANESSA IRVING;
ROSEBELLE DELONG;
ROSA GONZALES; AND
DOE DEFENDANTS 1-50,

Defendants.

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IT IS HEREBY STIPULATED by and between Qui Tam Plaintiffs (as listed in the above caption), on the one hand, and Defendants Shimmick Construction Company, Inc. and Shimmick Corp. (“Shimmick”), Vanessa Irving, Rosebelle Delong, and Rosa Gonzales, AECOM and Amentum Environment & Energy, Inc. (“AECOM”), Veolia Water West Operating Services, Inc., Veolia North America, LLC, Disney Construction, Inc., Shimmick/Disney Joint Venture, Webcor Construction, LP, dba Webcor Builders, Obayashi Corporation, W.M. Lyles Co., Webcor Obayashi Lyles Joint Venture, Berkshire Hathaway Specialty Insurance Co., Liberty Mutual Insurance Co., Fidelity and Deposit Co. of Maryland, Zurich American Insurance Co., Hartford Fire Insurance Co., and Federal Insurance Co. (collectively, “Defendants”), on the other; by and through their respective counsel of record, as follows:

1. On February 5, 2025, Qui Tam Plaintiffs filed a complaint in the Alameda Superior Court, Case No. 25CV109652 (“Superior Court Action”).

2. On July 3, 2025, Shimmick filed a Notice of Removal of the Superior Court Action to the U.S. District Court for the Northern District of California.

3. Based on the timing of service of the complaint and the date the Notice of Removal was filed, certain Defendants’ responsive pleading to the complaint would be due July 10, 2025.

4. Qui Tam Plaintiffs have agreed to an extension until August 8, 2025 for Defendants to file responsive pleadings.

5. Pursuant to Fed. R. Civ. P. 6(b)(1)(A) and N.D. Cal. Civ. L.R. 6-1(a), Qui Tam Plaintiffs and Defendants stipulate the Defendants’ deadline to file and serve their responsive pleadings to the complaint is extended to August 8, 2025. As part of this stipulation, Qui Tam Plaintiffs stipulate they will not seek a default of any Defendant in the action on or before August 8, 2025.

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6. In the event Qui Tam Plaintiffs file a Motion to Remand on or before August 8, 2025, Qui Tam Plaintiffs and Defendants stipulate the deadline to file and serve Defendants' responsive pleadings to the complaint is extended until the 21st day after Qui Tam Plaintiffs' Motion to Remand is decided by the court.

7. The sole purpose of this stipulation is to extend Defendants' deadline to file and serve responsive pleadings, and Qui Tam Plaintiffs and Defendants stipulate that by entering this stipulation, they retain and reserve all rights not addressed herein.

DATE: July 7, 2025

Respectfully submitted,

FINCH, THORNTON & BAIRD, LLP

By: /s/ P. Randolph Finch Jr.
P. RANDOLPH FINCH JR.
LOUIS J. BLUM
CHAD T. WISHCHUK
Attorneys for Defendants Shimmick
Construction Company, Inc., Shimmick
Corp., Vanessa Irving, Rosebelle Delong,
and Rosa Gonzales

DATE: July 7, 2025

KEKER, VAN NEST & PETERS LLP

By: /s/ Katie Lynn Joyce
DAVID SILBERT
AJAY S. KRISHNAN
BROOK DOOLEY
KATIE LYNN JOYCE
Attorneys for *Qui tam* Plaintiffs TRICO
Pipes LMCC and Nick Goodwin

DATE: July 7, 2025

COZEN O'CONNOR

By: /s/ Marion T. Hack
MARION T. HACK
LUKE EATON
Attorneys for Defendant AECOM

1 DATE: July 7, 2025

ROGERS JOSEPH O'DONNELL

2
3 By: /s/ Aaron P. Silberman
AARON P. SILBERMAN
4 Attorneys for Defendants Veolia Water
5 West Operating Services, Inc., and Veolia
North America, LLC

6 DATE: July 7, 2025

COOK BROWN LLP

7
8 By: /s/ Barbara A. Cotter
BARBARA A. COTTER
9 Attorneys for Defendant Disney
10 Construction, Inc.

11 DATE: July 7, 2025

COX CASTLE & NICHOLSON LLP

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13
14 By: /s/ Dwayne P. McKenzie
DWAYNE P. MCKENZIE
JAMIE SPRAGUE
15 Attorneys for Defendants W.M. Lyles Co.,
16 Webcor Obayashi Lyles Joint Venture,
17 Obayashi Corporation, and
18 Webcor Construction, LP, dba Webcor
Builders

19 DATE: July 7, 2025

WATT TIEDER
HOFFAR & FIRZGERALD LLP

20
21 By: /s/ Robert C. Niesley
ROBERT C. NIESLEY
22 REBECCA S. GLOS
23 VIVIAN KATSANTONIS
24 Attorneys for Defendants Liberty Mutual
Insurance Company; Berkshire Hathaway
25 Specialty Insurance; Zurich American
Insurance Company; Fidelity & Deposit
26 Company of Maryland; Federal Insurance
Company; and Hartford Fire Insurance
27 Company

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